

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:16CR258
)	
vs.)	
)	
JOHN NUNO,)	ORDER
)	
Defendant.)	

This matter is before the court on defendant's unopposed Motion to Continue Trial [23]. Counsel needs addition time thoroughly review the discover and confer with his client. Counsel has indicated that defendant will comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [23] is granted as follows:

1. The jury trial now set for December 6, 2016 is continued to **February 7, 2017**.
2. The defendant shall file the affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 7, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED December 2, 2016.

BY THE COURT:

**s/ F.A. Gossett, III
United States Magistrate Judge**